

MINUTES
ATTORNEY GENERAL'S
RACIAL, ETHNIC, RELIGIOUS, AND MINORITY VIOLENCE COMMISSION
SACRAMENTO, CALIFORNIA
September 10, 1984

The Meeting of the Attorney General's Commission on Racial, Ethnic, Religious, and Minority Violence was called to order by Chairman, Monsignor William Barry at approximately 9:35 AM, September 10, 1984, at the State Water Resources Control Board Hearing Room in Sacramento, California.

Commissioners Present:

Msgr. William J. Barry, Chairman
Thomas F. Coleman
Rev. Will C. Herzfeld
John Huerta, representing
Joaquin Avila
David Kassoy
Janet Levy
Hon. Alice Lytle
John W. Mack
Hon. Armando O. Rodriguez
Dr. Hazel Russell
John J. Saito
Diane C. Yu

Commissioners Absent:

Joaquin Avila
Irma Castro
Richard Chavez
Vincent Harvier
Leticia Quezada

Department of Justice
Personnel Present:

Marty Mercado, Chief Community
and Consumer Affairs
Jim Ching, Deputy Attorney
General
Manny Medeiros, Deputy Attorney
General
Marian Johnston, Civil Rights
Enforcement Section
Linda Cabatic, Deputy Attorney
General
Hedy Imoos, Bureau of Organized
Crime and Criminal Intelligence
Dolores Hernandez, Secretary
Cynthia Phillips, Student
Assistant, Sacramento Office

Chairman Barry welcomed everyone to the meeting and asked the Commissioners to introduce and give a brief background statement on themselves.

NEW STAFF ASSIGNMENTS

Marty Mercado introduced Manny Medeiros, Deputy Attorney General, Civil Rights Enforcement Section, Sacramento Office, has been assigned to work with the Commission replacing Deputy Attorney General Jim Ching who has transferred to the Criminal Division. Louis Verdugo, Deputy Attorney General - Civil Rights Enforcement Section - Los Angeles Office has also been assigned to work with the Commission.

ADOPTION OF MINUTES

A motion was passed that the minutes be approved with the following corrections: include staff members present; next to last paragraph on page 12 - the Civil Code Section be corrected to read 51.7.

SCHEDULING OF NEXT MEETING

Because the Monday meeting date poses problems for Dr. Russell the Commission agreed to change the next meeting date to Thursday, December 13, 1984. The Commission agreed to meet in San Diego.

ADOPTION OF STATEMENT OF PURPOSE

After discussion, the proposed statement of purpose was adopted with the following changes: (Adopted Statement attached).

Paragraph 1 - delete the words "crimes and" from first sentence.

Paragraph 2 - 1st sentence - delete the words "crimes and".

Paragraph 3 - last line - add after "color": "ethnic background".

Add a new item: "4) Act as liaison to adversely affected minority communities."

Chairman Barry indicated that the subcommittee structure as proposed: Education; Litigation; and Legislation, was acceptable to the members and that Rev. Will Herzfeld had agreed to serve as the Chair of the subcommittee on Education and Community Relations..

Tom Coleman explained he was not able to serve as the Chair of the subcommittee due to the additional time commitments required, but he would be an active participant on the Committee.

The members of the Subcommittees are:

Education/Community Relations

Rev. Will Herzfeld, Chairman:
Irma Castro
Richard Chavez
Tom Coleman
Janet Levy
Leticia Quezada
Dr. Hazel Hawkins Russell
Msgr. William Barry

Litigation

Judge Alice Lytle, Chairperson:
Joaquin Avila
Vincent Harvier
John Saito

Legislation

Diane Yu, Chairperson:
David Kasso
John Mack
Judge Armando Rodriguez

A motion was passed to approve the subcommittee structure and membership.

SACRAMENTO COUNTY HUMAN RELATIONS COMMISSION

Msgr. Barry introduced Bill White, Chairman of the Sacramento City/County Human Relations Commission. Mr. White made the following introductions:

Perry Diaz member of the AD HOC Committee
Randy Shiroy, staff, Sacramento County Human Relations Commission
Sandy Virago, Executive Director, Sacramento County Human Relations Commission

Earl Sullaway, Regional Director of the Department of
Fair Employment and Housing
May Lee, Asian Job Resources
Christine Umeda from Stepping Stones
Jose Steelman, Friends of the Indo-Chinese Community
Jackie Mozur, Friends of the Indo-Chinese Community
Karen Brockopp from the Lutheran Social Services
George Dean from the Urban League

Commissioner Perry Diaz discussed the work of the subcommittee in putting together findings and recommendations of the May 17th Hearing on Bigotry and Violence Against Asian-Pacific Americans. He was followed by Randy Shiroy who gave some of the demographics of the problem in Sacramento County. Sandy Virago, Executive Director, gave an in-depth presentation on the findings of the Sacramento Hearing.

Bill White then presented the recommendations of the Sacramento County Human Relations Commission. (Sacramento Commission Report attached - Exhibit I.)

PRESENTATION ON CRIMINAL EXTREMISTS

Analyst Hedy Immoos of the California Department of Justice, Bureau of Organized Crime and Criminal Intelligence, gave a presentation addressing organizations that have been directly involved in confrontations with local law enforcement or with other organizations of opposing views and included reviews of the Ku Klux Klan, Nazis, Jewish Defense League, and Jewish Defense Organizations. (Report attached - Exhibit II.)

REPORT ON LEGISLATIVE PROCESS AND LEGISLATIVE UPDATE

Deputy Attorney General Linda Cabatic, Department of Justice, Legislative Unit, gave a brief overview of the legislative process and how bills become law. Ms. Cabatic gave an update on the status of the major pieces of legislation of interest to the Commission. Copies of the report were distributed to the Commission. (See Exhibit III.)

SUBCOMMITTEE WORK SESSIONS - 1:30 - 3:30 p.m.

After the lunch break the subcommittees convened in work sessions from 1:30 to 3:30 p.m.

REPORT BY SUBCOMMITTEES ON PLAN OF ACTION

The subcommittee chairs presented their committee reports. (See attached Exhibits IV, V, and VI.)

DISCUSSION ON LEGISLATIVE SUBCOMMITTEE REPORT

Chairperson Yu asked that staff include a tear sheet with the minutes which members could return listing names of legislators with whom they have a friendly relationship which could be used as a resource to contact when drafting proposed legislation. She also asked that members should indicate areas where they would like to have the legislative subcommittee consider drafting some proposals.

In the discussion regarding the mechanism for handling legislation in emergency situations and the use of conference calls between committee members, with a telephone poll concurrence from the commissioners, the applicability of the Open Meeting Act was discussed. If the Commission is subject to the Open Meet Act it would not be possible to utilize either method.

A motion was made by Judge Lytle, and seconded by Rev. Herzfeld that if it is legally permissible, that the legislative committee meeting meet via conference call during the legislative session, and when necessary, that a telephone poll on positions be conducted. The motion carried.

Staff was asked to research the legality of this recommendation.

Judge Lytle suggested that while we are waiting for the legal opinion on the Open Meeting Act, that Commissioner Yu be delegated the authority to tell individual legislators what her recommendations to the Commission would be on certain bills, so that at least they would know where the Commission stands.

DISCUSSION ON EDUCATION/COMMUNITY RELATIONS SUBCOMMITTEE REPORT

Rev. Herzfeld indicated that the subcommittee members felt that one of the priorities is getting the word out to other agencies about the Commission's activities. He asked that Commission members identify for staff other agencies and groups that should be contacted who might be invited to serve in a liaison capacity with the Commission.

He recommended that the Commission request a presentation by the Department of Fair Employment and Housing on what is being done in that area.

With respect to the subcommittee's recommendation that the Commission invite the State Department of Education to serve in a special liaison function, Judge Lytle indicated she would be interested in hearing from the Department what their general authority is over school districts; and what they are doing in the area of interracial relations. She said she hoped they could provide statistical information on the level of violence in schools throughout the state.

Judge Lytle made a motion that the Department of Education be invited to attend the December 13 meeting. The motion was seconded by Tom Coleman and was carried.

Msgr. Barry suggested they might also be able to suggest changes in the law which would give them more jurisdiction or authority that might be helpful to them in this regard, that we might want to consider.

Commissioner Coleman suggested that if they cannot appear at the December meeting, that he would like to hear a presentation by the Commission on Peace Officers Standards and Training on what they are doing.

Staff indicated that an invitation to make a presentation would be sent to both agencies.

There was discussion about the recommendation to develop a handbook and the update of the Equal Rights Under the Law.

Rev. Herzfeld stated these were two separate recommendations: 1) that staff be directed to update the 20-year old handbook Equal Rights Under the Law; and a long-range goal would be to develop a civil rights handbook which could generally be used by the public; and produce in addition, a chronicle of the Commission's work.

Marian Johnston indicated that the Civil Rights Section would undertake the update of the the Rights Booklet, and would circulate a draft to the Commission for input.

LITIGATION SUBCOMMITTEE REPORT PRESENTATION

Judge Lytle presented the subcommittee's report. However, because of the lateness of the hour, and the departure of the majority of the Commission members, Alice Lytle requested that time be allowed on the December meeting agenda for presentation and discussion of the Litigation Subcommittee recommendations.

The meeting adjourned at approximately 5:00 p.m.

#

ATTACHMENTS



**HUMAN RIGHTS/FAIR HOUSING COMMISSION
OF THE CITY AND COUNTY OF SACRAMENTO**

2131 Capitol Avenue
Suite 206
Sacramento, CA 95816
(916) 444-6903

REPORT AND RECOMMENDATIONS OF THE
HUMAN RIGHTS/FAIR HOUSING COMMISSION OF THE
CITY AND COUNTY OF SACRAMENTO

HEARING ON BIGOTRY AND VIOLENCE AGAINST
ASIAN PACIFIC AMERICANS

HELD MAY 17, 1984
SACRAMENTO, CALIFORNIA

APPROVED BY COMMISSION JULY 25, 1984

RELEASED SEPTEMBER 10, 1984

COMMISSIONERS

Bill White
Chair

Marina Estrada
Vice-Chair

Martin Kennison
Treasurer

Ronald Gray
Secretary

Sandra K. Virago
Executive Director

Ed Anderson
Dr. Sidney A. Inglis
Jean C. Rodgers

Fred A. Dawkins
Bertha King
Martha Powers

Gary Miller
Reuben A. Sanchez
Rosemary Mettrailer

Perry Diaz
Lisa Bertotto

Affirmative Action/Equal Opportunity Employer



I. Racially Motivated Incidents/Crimes

Findings:

1. A perception exists in the Asian Pacific American community that racially motivated incidents have increased both locally and nationally. This perception resulted in the formation of a Sacramento based community coalition, Coalition of Asians for Equal Rights (CAER) in June 1983.
2. Information on the exact number of racially motivated incidents is difficult to ascertain. No agency/agencies is charged with the responsibility to monitor and record racially motivated crimes/incidents, nor does any established uniform criteria exist for determining if a crime is racially motivated.
3. Indochinese refugees have been the primary targets of incidents of identified as racially motivated according to the Sacramento County Sheriff's Department. Of the incidents reported by the Indochinese community in:

1982 - 25 of 60 crimes reported racially motivated,
1983 - 35 of 80 crimes reported racially motivated,
1984 - for the period of January 1st to April 30th
11 of 34 crimes reported racially motivated.
4. Local law enforcement agencies may find it difficult to respond to incidents/crimes due to a lack of the bilingual staff necessary to communicate with non-English speaking Asians.
5. On occasion, law enforcement officers have reportedly failed to take reports of crimes/incidents or update victims on progress made on their cases.

Recommendations:

1. a. Human Rights/Fair Housing Commission meet with the Sheriff and Chief of Police regarding racial violence and law enforcement's role in the handling of such incidents, and
2. a. The Sacramento Police Department should institute a system to monitor racially motivated crimes.

b. The Sheriff's Department should extend its current monitoring efforts to include other ethnic groups, i.e., Blacks and Hispanics.
3. HR/FHC should assist in monitoring of incidents by instituting its own reporting system for incidents of a non-criminal nature. This information should be compiled in conjunction with similar reports by law enforcement and school districts.

4. HR/FHC has supported passage of SB 2080 (Watson) and encourages others to do the same. SB 2080 would fund the research and development of a uniform criteria to be used to determine if a crime is racial, ethnic, or religious in motivation.
5.
 - a. The Sacramento Police Department recruit and hire a bilingual community relations officer to work with the Indo-chinese community.
 - b. The Sheriff's Department continue its efforts to recruit and hire bilingual Asian Pacific deputies.
6. Sacramento Police Department establish a fund to reimburse interpreters and translators as the Sheriff's Department has already done.
7. Both the Sheriff and Police Department should educate and sensitize its officers regarding the various cultures and concerns in the Asian Pacific community.
8. HR/FHC should forward a copy of this report to the District Attorney's office and inform him of the concern expressed to us by the Asian Pacific community regarding prosecution of racially motivated crimes.

II. Education

Findings:

1. Asian Pacific American students, especially Indochinese, have been subjected to verbal and physical harassment. Reasons cited for these occurrences are: 1) an ongoing anti-Asian bias; 2) isolation of students (Indochinese) due to a lack of adequate orientation to the education system, American customs and a lack of programs to facilitate interaction with other ethnic groups; 3) misinformation and misperceptions that Indochinese students receive special treatment (ESL classes & bilingual instructors); 4) students lack of knowledge of the history of Asian Pacific Americans in the U.S.

Recommendations:

1. HR/FHC make presentations to school boards about the need for: 1) programs to promote harmony among ethnic groups. This would include cultural and athletic programs; 2) counseling programs for students having difficulties getting along with other ethnic students; 3) PTA cultural programs to promote understanding among racial groups.

2. HR/FHC urges continued funding of the Sacramento City Unified School District's recently added Human Relations Advisor position, which was developed in response to tensions between Indochinese and other students.
3. Sacramento City Unified School District's Superintendent should continue to meet with Asian educators and District Human Relations staff should continue to work closely with the community in implementing programs.
4. School Districts in Sacramento County should implement a racial, ethnic, religious, incident reporting system.
5. HR/FHC should meet with: 1) Superintendent of Public Instruction, Bill Honig to discuss policies, programs, and funding for various ethnic studies programs; 2) the Superintendent's Advisory Council on Asian/Pacific Affairs to discuss goals and programs.
6. HR/FHC should conduct a press conference to make known our findings and promote an awareness of the problem of racial bigotry and violence.
7. HR/FHC research what further measures might be taken to incorporate ethnic studies into current school curriculum.
8. HR/FHC research what, if any, additional disciplinary measures are appropriate in responding to students who engage in racial harassment.
9. School Districts should provide inservice training of school faculty and staff to deter racial harassment of students.

III. Housing

Findings:

Numerous difficulties were cited by presenters in the area of housing, particularly for Indochinese:

1. Some apartment managers take advantage of the Indochinese lack of English language skills and knowledge of their rights as tenants and: 1) refuse to return deposits; 2) charge illegal fines, 3) charge money under the table to rent an apartment; 4) enter premises without tenant's permission; 5) subject tenants to verbal abuse, 6) charge fees to the non-English speaking for contacting a utility company to begin or end service; and 7) refuse to make repairs.
2. Resentment towards the Indochinese has developed among some low income people who now find additional competition for decent affordable housing.

3. Difficulty is also encountered in getting needed repairs made by landlords cited by the County Health Department for violations due to the extended amount of time allowed for the owners to comply.
4. Absentee ownership may contribute to the deterioration of some rental property.
5. Some apartment managers are reluctant to rent to Indochinese due to misconceptions and misinformation regarding the cultures and lifestyles of the Indochinese.

Recommendations:

1. HR/FHC translate its Renters Rights Handbook into Asian Pacific languages, i.e., Vietnamese, Chinese, Lao, and Hmong.
2. HR/FHC notify the Health Department of problems in enforcing timelines for repair by the owners.
3. HR/FHC forward a copy of the housing testimony to the Attorney General or the Sacramento County Grand Jury for further inquiry into the ownership patterns (absentee) of apartment complexes housing large numbers of refugees.
4. HR/FHC meet with the Apartment Owners Association and the Institute of Real Estate Management for assistance in providing information to its members on the Indochinese as potential tenants and the community resources available to both landlords and tenants, i.e., home management classes and interpreters.

IV. Employment

Findings:

1. Some job training programs have encountered difficulty in placing trainees with employers due to racist stereotypes or an anti-foreign prejudice, i.e., "immigrants and refugees talk funny or won't fit in."
2. Indochinese refugees with large families who are on public assistance find themselves in the dilemma of wanting to work but discovering that if they are employed they will have less money with which to support their families.

Recommendations:

1. HR/FHC contact the Sacramento Chamber of Commerce to ascertain what actions they might take to inform their members of the potential of immigrant and refugee employees.

2. Forward the concerns expressed over public assistance regulations which tend to discourage employment to our congressional representatives.

V. Media

Findings:

1. A perception exists in the Asian American community that the movie and TV entertainment industry continue to portray Asians in a stereotypical manner, i.e., waiters, laundrymen, cooks, house servants, karate experts, prostitutes, war brides and enemy soldiers.
2. Poorly done, inaccurate, or sensationalized news coverage tends to reinforce or fuel misconceptions/stereotypes in the general public especially where Indochinese are concerned. Complaints of reporters covering only one side of the story, not checking facts of a story before printing or broadcasting, and sensationalized headlines were cited.

Recommendations:

1. HR/FHC establish a program to monitor both biased/inaccurate and sensitivity positive news reporting - a letter is to be sent each time a racially insensitive or a particularly well done news article is published or aired.
2. HR/FHC meet with the Sacramento Bee and Union, and local TV stations regarding our concerns and the findings of our monitoring program.
3. Local media should establish community advisory boards to review and provide input on programming and reporting.
4. Local media should increase its recruitment, hiring and promotion of Asian Pacific Americans.
5. Local media should increase public or human interest coverage of Asian Pacific Americans.
6. Media provide an accurate program on the Indochinese refugee resettlement program and its impact on Sacramento.

VI. Human Services

Findings:

1. Lack of access or difficulty in obtaining human services due

to language and cultural barriers was cited repeatedly by the presenters. Presenters noted that service providers either lacked the bilingual staff necessary or no program existed to provide interpreters for a particular program or group.

2. Lack of planning and coordination in the funding of human services in Sacramento County has left many urgent needs unmet. Examples, one program, to assist Indochinese tenants funded by the County has no counterpart in the City, another program, to provide interpreting and paralegal assistance to Asian elderly has no funds to assist or serve those under the age of 60.
3. Funding of Indochinese refugee resettlement programs by the state and federal government have neglected to provide funds for human services or acculturation programs. Funds are currently provided for English as a Second Language (ESL) and vocational training. As one presenter noted, while the goal of English proficiency and employment for Indochinese is important it neglects the fact that students will not show up for class when faced with a myriad of problems for which they cannot get any help.

Recommendations:

1. Human Service programs must be made accessible for those who speak little or no English.
 - a. Hiring of bilingual staff by service providers - funding agents should require service providers to include in their affirmative action policy statements a commitment to recruit and hire bilingual staff whenever feasible to increase service accessibility.
 - b. HR/FHC research bilingual service regulations to determine if any are applicable to current human service programs.
 - c. Community Services Planning Council should list language/cultural capabilities of each agency in its Community Services Directory.
 - d. HR/FHC should research the possibility of developing a multi-lingual handbook of legal rights, community resources, and human services in conjunction with other Asian Pacific community organizations.
 - e. HR/FHC monitor the new 911 emergency telephone system to ensure that those with limited English proficiency understand the new system and can utilize it.
2. HR/FHC, in conjunction with other service providers, request a survey of community needs and services by funding agents

to develop a coordinated funding of human service programs.

3. Funding priorities of the Indochinese Refugee Resettlement Program:
 - a. HR/FHC should support passage of SB 2035 and SB 2036 to adjust funding to include monies for social services and acculturation programs.
 - b. HR/FHC notify congressional representatives of the difficulties being faced by the Indochinese community due to current government funding priorities within the Refugee Resettlement Program.
 - c. Funding support for service programs developed by the Indochinese community should be given a high priority.

VII. Community Leaders and Elected Officials

Findings:

1. In the past many leaders of communities impacted by racial violence have been reluctant to speak out for fear of fueling the problem.
2. A belief that all segments of the community have a voice in those matters which affect them is important to the maintenance of community harmony.

Recommendations:

1. Leaders of the Asian Pacific community and elected officials should speak out against racial bigotry and violence.
2. Public advisory boards should be composed of individuals that reflect the diversity that exists in our community. HR/FHC should survey the current composition of public advisory boards and advise elected officials and the public of our findings.

PRESENTATION ON CRIMINAL EXTREMISTS
BUREAU OF ORGANIZED CRIME AND CRIMINAL INTELLIGENCE
DEPARTMENT OF JUSTICE

The following is an extract from a presentation given by Analyst Hedy Immoos of the California Department of Justice, Bureau of Organized Crime and Criminal Intelligence to the Racial, Ethnic, Religious and Minority Violence Commission on September 10, 1984, at the Commission's meeting in Sacramento. The presentation addressed organizations that have been directly involved in confrontations with local law enforcement or with other organizations of opposing views and included reviews of the Ku Klux Klan, Nazis, Jewish Defense League, and Jewish Defense Organization.

I. Ku Klux Klan (KKK)

The Ku Klux Klan is an organization which advocates the supremacy of the white race and publicly denounces such issues as forced busing and affirmative action programs. Confrontations between the KKK and groups of opposing views have been a concern for law enforcement.

A group that opposes the Klan is the Progressive Labor Party, a nationwide public activist organization that is primarily active through its front organizations, the International Committee Against Racism, which is the party's principal vehicle for race agitation. Since the formation of the Progressive Labor Party, its efforts have been directed toward issues relating to race and labor.

At a KKK march in Modesto in November 1981, three Progressive Labor Party supporters were arrested. One was arrested for kicking a Klan member, and the two others for throwing a soft drink can and interfering with police officers.

In 1983, 15 Klansmen and supporters were arrested in the Lakeview Terrace Area of Los Angeles County. Those individuals arrested were charged with felony conspiracy following the burning of three crosses without permission from the local fire district. Members of the Jewish Defense League protested outside the home of one of the Klan leaders and indicated to police there would be violence if law enforcement did not intervene.

During the Democratic National Convention held in San Francisco this summer, a KKK protest group that drew 250 to 300 supporters burned a KKK figure in effigy. The protestors' ardor may have been dimmed due to the fact that the KKK did not appear for an anticipated rally on that day. However, two days later, a group of six Klansmen from Modesto appeared in San Francisco. The Klansmen met with San Francisco Police Department representatives who suggested it might not be in the best interest of public safety for them to appear in a public rally, and the Klan did not demonstrate.

II. Nazi Party

A group closely aligned with the Klan's philosophy is the Nazi Party. The Nazi Party in California is a white supremacist organization modeled after its German predecessor. The California party embraces the ideology of the former including racism, anti-Semitism, Aryan supremacy and military posturing. The maintenance of a pure, white race is of utmost importance to the Nazi Party membership.

Since its inception, the Nazi Party in the U.S. has been involved primarily in public demonstrations and rallies, all in an effort to distribute propaganda and increase membership.

In September 1982, racist-type literature was found in students' lockers at Oroville Central School. Perry Bernard "Red" Warthan, a fast talking disciple of Adolph Hitler and Charles Manson, was found guilty in June 1983 and sentenced to 27 years to life for the murder of 17 year old Joseph Hoover. Warthan had organized a Nazi group espousing an anti-Black, anti-Jewish Philosophy. Authorities reported Hoover was slain because he told police about the Nazi group led by Warthan and named Warthan as the man who ordered racist leaflets bearing the Nazi swastika stuffed into lockers at the school.

Over the past two years, the Nazi Party is not known to have perpetrated any criminal activity in California.

III. Jewish Defense League

An organization that has demonstrated fierce resistance to perceived anti-Semitism through demonstrations, bombings, confrontations, and inflammatory public statements is the Jewish Defense League (JDL). JDL leaders have urged Jews in the United States to arm themselves against anti-Semitic groups.

The Jewish Defense League was formed in 1968 and is active in a limited number of major United States cities, primarily New York and Los Angeles. Adopting the slogan, "Never Again," as a reminder of the holocaust, the JDL has a stated philosophy that Jews will never again passively endure oppression.

Irving Rubin, the West Coast leader of the JDL, was arrested in Los Angeles in December 1982 on charges of making a telephone threat against a teacher who denied 6 million Jews were killed by the Nazis during World War II. In May of the same year, the teacher's home was firebombed, and in December, the home was broken into and slogans saying, "Never Again," and, "No More Holocaust," were spray painted on the walls.

Fourteen JDL members were arrested in Los Angeles in December 1982 after shouting obscenities at churchgoers who had come to see Romanian Orthodox Archbishop Trifa. Trifa, who has recently been deported from the United States, was accused of touching off anti-Jewish riots in Bucharest that left more than 300 Christians and Jews dead during World War II.

In July 1983, 3 police officers were injured and 15 people arrested during skirmishes at an anti-Israel protest outside the Israeli Consulate in Los Angeles. Police on foot, horseback, and motorcycles clashed with demonstrators as they tried to keep 450 chanting Muslim students and 30 members of the JDL apart.

In July of this year, while the Democratic National Convention was held in San Francisco, a handful of demonstrators from the JDL carried a dummy depiction of the Reverend Jesse Jackson to protest Jackson's Mideast policy and inflammatory references to Jews made during the Jackson campaign.

The group soon drew a crowd of people that rallied against them, and police eventually escorted the JDL members from the demonstration area for their own personal safety.

IV. Jewish Defense Organization

The Jewish Defense Organization (JDO) has stated publicly that it intends to save the Jewish community from another Auschwitz. In 1982 and 1983, the JDO participated in a number of demonstrations in the Los Angeles area, directed toward members of the KKK, the Nazi Party, and others perceived as a threat to the Jewish community.

In April 1982, an anti-Palestine Liberation Organization rally sponsored by the JDO in Los Angeles, resulted in a confrontation with several Arabs and eventually led to the arrest of JDO members for assault.

Conclusion

The major activity of the KKK will probably be to continue its recruitment activities through rallies and marches. They can be expected to publicly support the concerns of the White, lower income segment of society in an effort to draw new members into the organization.

The JDL and JDO will in all likelihood continue to represent minor problems for law enforcement. Both these organizations have members who are emotional and vocal about their concerns and seek media attention to promote their cause.

The Nazi organization will quite likely continue to be involved primarily in public demonstrations and rallies in order to distribute propaganda and increase membership.

vkb

ATTORNEY GENERAL'S COMMISSION ON RACIAL, ETHNIC,
RELIGIOUS, AND MINORITY VIOLENCE
LEGISLATIVE UPDATE
September 10, 1984

AB 848 Civil Rights: Sexual Orientation
BATES

SUMMARY: This bill would provide that all persons
5/25/83 within the jurisdiction of this state have
the right to be free from any violence, or
intimidation by threat of violence, committed
against their persons or property because of
their sexual orientation, as defined, age, or
disability.

ACTION: 8/27/84 Enrolled

AB2649 Cities and Counties: Human Relations Commissions
MOORE

SUMMARY: This bill would revise the areas of responsibility
of human relations commissions.

ACTION: 4/25/84 Taken Off Calendar

AB2719 Sentences
BANE

SUMMARY: This bill would provide that the commission
5/7/84 or attempt to commit a felony because of the
race, color, religion, nationality or country
of origin of the victim would constitute a
circumstance in aggravation for purposes of
felony sentencing generally, except as specified.

ACTION: 8/16/84 Enrolled

AB 3646 Violence
VASCONCELLOS

SUMMARY: This bill would, on the basis of certain
8/27/84 findings and recommendations of the California
Commission on Crime Control and Violence,
require the institution of community violence
prevention and conflict resolution programs
to be contracted for by the Office of Criminal
Justice Planning.

ACTION: 8/29/84 Enrolled

AB3691 California Commission to study the causal
VASCONCELLOS relationship between self-esteem, personal

SUMMARY: This bill would establish in state government
8/7/84 a California Commission to study the causal
relationship between self esteem, personal
responsibility, and social problems, consisting
of 24 members with prescribed duties.

ACTION: 8/16/84 Rejected by Senate

AB3854 Conflict Resolution
VASCONCELLOS

SUMMARY: This bill would require the Office of Criminal
7/6/84 Justice Planning to contract with an existing
center to provide training and technical
assistance to community groups and neighborhood-based
organizations, to assist in training, planning,
and development, to provide assistance and
evaluation, and to provide related services,

ACTION: 8/30/84 Enrolled

SB 85 Crimes: Prisons
BOATWRIGHT

SUMMARY: This bill would authorize double-celling or
8/7/84 double-bunking to be counted as part of the
design capacity of institutions subject to
those provisions relative to the planning and
construction of prison facilities, under
certain conditions, and would prescribe the
cost per cell and inmate-to-staff ratio of
medium and maximum security institutions.

ACTIONS: 8/31/84 Stricken from File

SB 780 Terrorists
ROYCE

SUMMARY: This bill would make it a felony for any
7/3/84 person who, with intent to cause, attempts to
cause, or causes another to refrain from
exercising his or her religion or from engaging

in a religious service by means of a threat, directly communicated to the person, to inflict an unlawful injury upon any person or property, and it reasonably appears to the recipient of the threat that the threat could be carried out.

ACTION: 8/29/84 Enrolled

SB 1922 Discrimination in Employment
MARKS

SUMMARY: This bill would provide that if the commission or the board finds that a person has engaged in prohibited discrimination, and it appears that the discrimination consisted of acts described in specified penal code provisions relating to sex crimes, the commission or board would be required with the consent of the complainant, to provide the local district attorney's office with a copy of its decision and order.

ACTION: 7/17/84 Chaptered by Secretary of State

SB 2012 Fair Employment Practices
WATSON

SUMMARY: This bill would provide that the provisions prohibiting harassment of an employee or applicant for employment apply to any person regularly employing one or more persons, and would make it an unlawful employment practice for employers and others subject to these provisions to fail to take all reasonable steps necessary to prevent discrimination and harassment from occurring.

ACTION: 8/30/84 Enrolled

SB2080 Racial, Ethnic, and Religious Crimes
WATSON

SUMMARY: This bill would require the Attorney General for one year, to develop a program model to collect, compile, and analyze information about racial, ethnic, and religious crimes and submit a report to the legislature, as specified.

ACTION: 8/16/84 Enrolled

ATTORNEY GENERAL'S COMMISSION ON RACIAL, ETHNIC, RELIGIOUS
AND MINORITY VIOLENCE
REPORT OF LEGISLATION SUBCOMMITTEE MEETING
September 10, 1984

1. Linda Cabatic, DAG, made a brief presentation about the legislative process and possible areas for Commission input. The committee questioned whether the Commission could take a position on legislation independent of the Attorney General.
2. The committee discussed possible areas for future legislative proposals, e.g., training for law enforcement personnel; "seed-money" funding for interpreters; "hate-monger" recorded telephone messages. Committee members also discussed the possibility of establishing a program to provide an Attorney General presence at the scene of a violent crime.
3. The committee discussed a mechanism for conferring on pending legislation. The committee concluded that Deputy Attorney General Manny Medeiros send to the committee members copies of all pending legislation that the commission would be interested in. Whenever possible, the bills would be discussed at the next legislative committee meeting. However, where urgency required an earlier discussion, he would arrange for a conference call on either Thursdays or Fridays at/or after 4:00 p.m. to discuss the bills with the committee members. The committee would then state the position that they wanted to be taken on behalf of the commission at that time. There was some question whether the committee could make any recommendations on legislation without referral of the issue to the full commission.
4. The committee would seek from the full commission direction as to how they should proceed on legislation. Are they authorized to take positions on behalf of the commission in those cases where positions must be determined prior to the next full commission meeting? Does the commission want to be apprised of all legislation before any positions are taken at all? The committee requested the assistance of the commission in devising a mechanism for handling legislation in emergency situations.
5. The committee authorized Diane Yu to draft and send a letter to legislators and other interested groups indicating that the commission does exist and that it does have a legislative subcommittee which is interested in legislation relating to RERMV issues.

The Committee requested a list of all public entities and legal aid-type organizations that have interests similar to those of the Commission.

The Committee would also like a copy of the "roll out" program proposal which the Attorney General implemented while he was Los Angeles County District Attorney.

Diane Yu suggested that the committee meet on February 8, 1985, at 10:30 a.m. in her office in Oakland. It appears that, whether or not there are items to be discussed in December, there will probably be a sufficient number of bills for consideration by the legislative committee in February. At that February committee meeting, the committee could prepare its recommendation for submission to the commission at the March commission meeting.

She asked that if some committee members have any problem with this date or have other suggestions concerning the subcommittee meeting they should get in touch with her.

ATTORNEY GENERAL'S COMMISSION ON RACIAL, ETHNIC, RELIGIOUS
AND MINORITY VIOLENCE
REPORT OF EDUCATION/COMMUNITY RELATION SUBCOMMITTEE MEETING
September 10, 1984

Members Present:

Rev. Will Herzfeld, Chair
Janet Levy
Tom Coleman
Dr. Hazel Russell
Msgr. William Barry

Absent

Irma Castro
Richard Chavez
Leticia Quezada

The recommendations from the Governor's 1982 Task Force on Civil Rights Report were distributed to members for review.

Discussion centered around the need for a civil rights handbook patterned after the Women's Rights Handbook produced by the Attorney General's Office. The question was raised as to whether this would be a handbook that can be used by the general public or community relations commissions. It was pointed out that the Women's Handbook did not contain citations, and that a handbook should be developed that would accomodate the needs of the public and not be strictly legally oriented, but which incorporated the citations as footnotes.

Commissioner Coleman distributed copies of the Executive Summary of the Commission on Personal Privacy Report as an example that would accomodate both interests. The summary contains material from the report in a more summary fashion with the citations noted in the margin next to the paragraph.

There was also discussion about development of a booklet on a lesser scale dealing with rights of people, and development of some educational materials and programs that can be used by local groups for model training programs.

An immediate priority identified was the need to get the word out to community organizations about the existence of the Commission and its purpose.

Continuing work with the press was also noted. Concern at the lack of response by the press to the creation of the Commission was expressed. It was suggested that when press releases contain information on issues that may be newsworthy, such as action items on agendas, etc., the press may be more responsive. As an example, Commissioner Coleman indicated it was his intent to write an article on AB 848, as soon as it is signed by the Governor, for publication in gay newspapers, to focus on the bill as a news item, and then lead into creation of the Commission.

The members identified those items of particular concern to them and what they felt the commission should accomplish.

Commissioner Coleman:

- development of a pamphlet dealing with rights of people, victims of violence.
- to work with the Commission on POST to do a model training program on community relations and in-service training; development of educational material and or programs that can be used by local groups.
- work with educational and other institutions such as the Department of Youth Authority and the Department of Education to begin educating our youth on community relations and rights of people.

Commissioner Levy:

- provide liaison function throughout the state by providing other communities with a model such as the San Francisco Senior Escort Outreach Program.

This is a model program that utilizes a roving patrol to assist the elderly if they want to go out and are afraid to go alone; e.g., to do shopping, etc. In the last year they have prevented thousands of muggings and beatings and acts of violence against the elderly.

Commissioner Levy stated that she would like to see this program adopted throughout the state.

She also indicated that she would like to see:

- involvement with ethnic elderly groups. She indicated there has been quite a good relationship between the elderly and the gay community.
- coordination with other state departments such as the Department of Aging, Department of Education, Social Services, Recreation, etc.
- Training of police officers. She indicated that many officers really don't know much about older people, and the effects of some of their illnesses; they assume they are either drunk or under the influence of drugs, when they are just sick.

Monsignor Barry:

- explore avenues to get the information to organizations

such as social service organizations, etc. who could disseminate it.

- to get the message out to people; raise the consciousness of people to make them more aware of these situations.

Dr. Russell:

- Public education: Much of this violence goes on in schools. The schools do not do enough human relations kind of ethnic studies.
- Need to have the State Department of Education involved with committee. Request that they assign a liaison representative to committee.

The question as to whether the Commission would hold public hearings was discussed. It was pointed out that while the Commission had not ruled out holding public hearings, that the emphasis would be that the Commission would hear from those agencies who have held hearings-on what their findings and recommendations are.

Rev. Herzfeld pointed out that the morning's presentation by the Sacramento County Human Relations Commission had made several recommendations which could be used for purposes of discussion, such as:

- publication of a rights booklet for immigrants.
- the issue of language, which is related to the question of education. The Commission may want to decide to invite the participation of the State Department of Education.
- the investigation of ownership of housing inhabited by Indo-Chinese people;
- state funding for local fair housing - human rights commissions; and county and city governments.

These were some of the specific suggestions directed to the Office of the Attorney General.

Rev. Herzfeld pointed out that the morning's session was particularly helpful in focusing on what our style and motives should be.

He indicated it would be incumbent on members, therefore to identify other agencies or groups who have held public hearings, especially those who may have information on some of the topics that would not be touched on, were it not for the existence of this kind of Commission.

He stated the subcommittee should review the recommendations made by the Sacramento County Commission to determine which ones should be taken before the full commission for further discussion.

Rev. Herzfeld asked if it were feasible for the Commission to publish a meeting schedule in advance so that people who might want to come and participate would be notified.

Marty indicated that a list of "interested persons" had been started, based on requests for information, etc., including other agencies, such as the Human Relations Commissions, and that a public "meeting notice" was sent out at least two weeks in advance of the meeting.

Commissioner Coleman pointed out that there had been discussion about the need to have human relations commissions, and the fact that San Diego does not have one. Since we will be meeting in San Diego he stated it might be appropriate to have a presentation on the need for a human relations commission in San Diego, how it relates to violence, bigotry, etc.

Marty pointed out the "Equal Rights Under the Law" Handbook - handed out by Marian Johnston, that was done primarily for the legal profession about 20 years ago, might be appropriate to have updated and is something that the Commission might want to consider.

It was agreed that the commission should recommend to staff that the equal rights statutes handbook be updated, and perhaps that could be an appendix to the civil rights handbook.

Monsignor Barry stated that as we compile information, we should not have a preconceived notion of what is going to be published. As information is developed, we may wish to reproduce it in one form or another to meet the needs of the public, enforcement agencies, etc.

It was suggested that the committee should establish a relationship with other minority groups for purposes of on-going dialogue, and invite their input.

There was discussion about SB 2080. The bill would be effective January 1, 1985, and appropriates \$75,000 to the Department of Justice to compile and analyze information on RERMV, to establish a standard for reporting. It was pointed out that the Department of Justice would be responsible for implementation.

It was suggested that a recommendation be made to the whole Commission that each member compile a list of public rights organizations that we should notify of the commissions' existence, and that each member take the responsibility for a cover letter to send to those groups.

ATTORNEY GENERAL'S COMMISSION ON RACIAL, ETHNIC, RELIGIOUS
AND MINORITY VIOLENCE
REPORT OF LITIGATION SUBCOMMITTEE MEETING
September 10, 1984

Purpose:

The subcommittee is to develop strategies to assist the Attorney General in exercising his enforcement authority under applicable statutes with particular emphasis in the Ralph Act.

Background:

At the first meeting of the RERMV Commission, the suggestion was made that the Attorney General explore the possibility of bringing a civil action under the Ralph Act. The Act provides that all citizens have the right to be free from violence, or intimidation by threat of violence because of their race, color, religion, ancestry, national origin, political affiliation, sex, or position in a labor dispute. Civil Code §51.7.

Subdivision (b) of the Act provides that whoever denies the right or aids, incites, or conspires in the denial of the 51.7 right is liable for actual damages and an additional \$10,000 in punitive damages.

Subdivision (c) of the Act allows the Attorney General, the District Attorney, or the City Attorney to bring a civil action based on section 51.7 if there is reasonable cause to believe that persons are engaged in a pattern or practice of resistance to the full enjoyment of the rights embodied in the Act.

The first meeting of the subcommittee was confined to a discussion of possible strategies under the Ralph Act with subsequent meetings to be devoted to Attorney General general enforcement powers. The subcommittee first identified criteria the Attorney General could use in selecting cases for Ralph Act enforcement. Two considerations were paramount in identifying the criteria. They were the need to 1) utilize limited Attorney General resources in a manner designed to produce the most successful result; 2) avoid a perception on the part of local officials that the Attorney General is unilaterally interfering in essentially local matters.

Criteria:

The criteria identified by the subcommittee are the following:

- (1) Multi-jurisdictional Acts constituting a pattern and practice that crosses county lines;

- (2) Complexity of issues - Local officials may lack the resources to handle a factually or legally complicated matter.
- (3) High degree of controversy - Serious political or other constraints may impair the ability of local officials to handle a particular set of circumstances;
- (4) Egregiousness of the acts forming the basis of the suit. This criterion is further subdivided as follows:
 - a) great property or personal injury;
 - b) numerous victims;
 - c) series of acts of long duration;
 - d) serious threats of future violence.
- (5) Case is of general "public interest" - This may include acts of violence against school children or acts of violence occurring in areas experiencing violence, in the recent past, e.g., Watts.
- (6) Perpetrator of violence is a group as opposed to individuals.

As you can see, there is some degree of overlap in these criteria, but they are sufficiently distinguishable from one another to serve as convenient guidelines.

Recommendations:

The subcommittee felt that certain administrative and political steps should be taken by the Attorney General to ensure that the office is properly prepared to handle a new type of case. The recommendations are:

- (1) An administrative procedure should be created within the Attorney General's office to provide for referral of matters coming to the office involving possible Ralph Act violations to the Civil Rights Division.
- (2) At the same time these matters should be referred to BOICC for possible inclusion into its statistical network. There should also be developed a "feedback" mechanism from BOICC to the Civil Rights Division whenever the BOICC notes circumstances indicating a pattern and practice of violence. Sources for "pattern and practice" information could be 1) complaints coming into the Attorney General's office, 2) DFEH and FEPC files, 3) newspapers and TV news, 4) local law enforcement files; etc.;

- (3) Screening procedures for the selection of Ralph Act cases should be developed for use at the initial intake stage and at the Civil Rights Division level;
- (4) Intake personnel in Attorney General's office should be trained in the use of appropriate criteria for use in screening cases;
- (5) Referral policy should be utilized at level of Civil Rights Division of cases that are unsuitable for Attorney General's Ralph Act enforcement but have potential for Ralph Act or regular P. C. enforcement at the local level;
- (6) The Attorney General should set up training in Ralph Act enforcement for local District Attorneys, City Attorneys and law enforcement using P.O.S.T. and other mechanisms. In this regard the Attorney General should explore the possible use of the California Specialized Training Institute (CSTI) as an additional training vehicle for local law enforcement. Attached is a brochure detailing the CSTI program and curriculum.
- (7) The Attorney General should take steps to heighten the sensitivity of local law enforcement to the importance of attaching more priority to Ralph Act type cases. One method of beginning this process would be through distribution of a letter expressing the Attorney General's new enforcement policy in this regard attached to a press release announcing the policy.
- (8) The Attorney General should solicit the assistance of District Attorneys and City Attorneys early in the development of Ralph Act enforcement policy.
- (9) The Attorney General should explore the feasibility of directly prosecuting under selected penal code provisions cases of racial violence unsuited for the Ralph Act or other civil enforcement. At later meetings of the subcommittee criteria will be refined for use in these types of enforcement actions.
- (10) The Attorney General should explore possibility of Ralph Act enforcement against local law enforcement in appropriate cases. Such cases would, of necessity, require a showing of a "pattern and practice" within a police or sheriff agency. Moreover, given the importance of honest, unbiased police enforcement to the safety and well-being of the community such an action would certainly be within the public interest.

- (11) The Attorney General should explore intervention into Ralph Act cases brought by District Attorneys, City Attorneys or private individuals. The subcommittee will work on criteria for these cases. The letters mentioned earlier should include notification of this aspect of the Attorney General's enforcement policy.

It should be noted that one recommendation coming out of the subcommittee meeting dealt with an issue within the purview of the Legislative subcommittee. With apologies for "turf invasion" the Litigation Subcommittee submits the following recommendation: The Attorney General should be given express statutory authority to train police, District Attorneys and City Attorneys in the area of racial, ethnic, religious and minority violence.